

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-9 and 20-25 are presently active in this case. The present Amendment amends Claims 1-9 and 20-25 without introducing any new matter.

In the outstanding Office Action, Claim 1 was rejected under 35 U.S.C. §102(b) as anticipated by Reich (U.S. Patent No. 4,827,515). Claims 2-3 and 21-25 were rejected under 35 U.S.C. §103(a) as unpatentable over Reich. Claims 4-9 and 20 were indicated as allowable if rewritten in independent form.

Applicant acknowledges with appreciation the indication of allowable subject matter. However, since Applicant considers that Claim 1, from which Claims 4-9 and 20 depend, defines patentable subject matter, Claim 1 is maintained in dependent form at the present time.

To clarify Applicant's invention, Claim 1 is amended to recite features regarding a decimation filter configured to extract, from said frequency demodulated stereo-multiplex signal, a sampling rate decimated signal. These features find non-limiting support in the disclosure as originally filed, for example at page 7, lines 10-20 and lines 26-31, and in corresponding Figure 1. Furthermore, Claims 1-9 and 20-25 are amended to correct minor formalities and to be in better U.S. claim drafting form. Since these changes are either supported by the specification as originally filed, or are of formal nature, they are not believed to raise a question of new matter.

In response to the rejection of Claim 1 under 35 U.S.C. §102(b), in light of the amendments to independent Claim 1, Applicant respectfully requests reconsideration of this rejection and traverses the rejection, as discussed next.

Briefly recapitulating, Applicant's Claim 1 relates to a stereo demultiplexer configured to receive a frequency demodulated stereo-multiplex signal, which includes at least a stereo-difference signal, a stereo-sum signal, and a pilot carrier. The stereo demultiplexer includes: a decimation filter configured to extract, from the frequency demodulated stereo-multiplex signal, a sampling rate decimated signal decimated by a factor D regarding the frequency demodulated stereo-multiplex signal, thereby providing the stereo-sum signal and the pilot carrier signal and eliminating the stereo-difference signal; and a PLL-circuit configured to receive the extracted signal as an input signal and for recovering, from the input signal, the pilot carrier or at least one harmonic thereof of the pilot carrier to perform an amplitude demodulation.

As explained in Applicant's specification at page 6, lines 1-3, Applicant's Claim 1 improves upon background stereo multiplexers, since it can provide a demultiplexer using less calculation power.

Turning now to the applied reference, Reich discloses a digital demodulator that demodulates and separates the individual components of a digitized stereo signal with narrowband information at three times the pilot signal frequency.¹ However, Reich fails to teach or suggest a decimation filter configured to extract a sampling rate decimated signal, thereby providing the stereo-sum signal and the pilot carrier signal and eliminating the stereo-difference signal. On the contrary, Reich explicitly teaches that a second decimation circuit d2 includes the pilot signal ps, and the pilot signal ps includes, as interfering signal, the MPX signal sx above 19kHz ***with the undemodulated stereo difference signal.***² An output signal of a decimation circuit including a undemolulated stereo difference signal, as taught by Reich, ***is not*** a sampling rate decimated signal, thereby providing the stereo-sum signal and

¹ See Reich in the Abstract and in Figure 1.

² See Reich at column 3, lines 60-68.

the pilot carrier signal and eliminating the stereo-difference signal, as recited in amended independent Claim 1.

Furthermore, there is no evidence for a motivation to modify the teachings from these references so as to arrive at Applicant's claimed inventions. The position that these teachings *could* be modified to arrive at the claimed inventions would be insufficient to establish a *prima facie* case of obviousness.³

Therefore, the applied reference Reich fails to teach or suggest every feature recited in Applicant's claims, so that Claims 1-9 and 20-25 are patentably distinct over the prior art. Accordingly, Applicant respectfully traverses, and requests reconsideration of, the rejection based on Reich.⁴

Since Applicant believes that the reference Reich fails to teach or suggest all the features of amended, independent Claim 1, the obviousness-type rejection of dependent Claims 2-3 and 21-25 are also believed to be overcome. Accordingly, Applicant traverses the rejection of Claims 2-3 and 21-25 under 35 U.S.C. §103(a).

³See MPEP 2143.01 stating that the "fact that references can be combined or modified is not sufficient to establish *prima facie* obviousness"; see also same section stating "[a]lthough a prior art device 'may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so,'" (citation omitted).

⁴ See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

Application No. 09/691,711
Reply to Office Action of November 1, 2005

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-9 and 20-25 is earnestly solicited.

Respectfully submitted,

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